

No. 9/84-6Lab/8715.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of the Executive Engineer Haryana State Electricity Board, Kurukshetra (Haryana).

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,

AMBALA

Reference No. 195 of 1984

(Old No. 305 of 1982)

between

SHRI CHANDER KUMAR WORKMAN AND THE MANAGEMENT OF THE EXECUTIVE ENGINEER, HARYANA STATE ELECTRICITY BOARD, KURUKSHETRA (HARYANA).

Present.—

Shri Chander Kumar, workman in person,

Shri S.S. Sirohi, for respondent.

AWARD

The Hon'ble Governor of Haryana in the exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947, referred the dispute between Shri Chander Kumar, workman and the management of the Executive Engineer, Haryana State Electricity Board, Kurukshetra to Labour Court, Faridabad. The terms of the reference are as under :—

"Whether the termination of services of Shri Chander Kumar, workman was justified and in order? If not, to what relief is he entitled to?"

On constitution of Labour Court at Ambala the reference was received by transfer.

Workman Chander Kumar has challenged his termination by the respondent dated 30th September, 1974 being violative to section 25(f) of the Industrial Disputes Act, 1947 and has prayed for the relief of reinstatement with continuity in services and with full back wages.

Respondent contested the dispute. On 26th August, 1985 both the parties volunteered to make statement. Shri S.S. Sirohi, Law Officer for respondent stated that the workman shall be taken into service in old terms and condition on or before 15th September, 1985. The gap period of retrenchment and re-instatement shall be treated towards the leave of the kind due. No back arrears shall be paid to workman although he shall be given benefit of continuity in service. It was accepted by Shri Chander Kumar, workman.

Accordingly; I hold that workman shall be taken into service on or before 15th September, 1985 in old terms and conditions. He shall have no right to recover back wages. The period of unemployment shall be treated leave of the kind due but he shall be entitled to continuity in service as agreed upon between the parties. So I pass my award accordingly.

Dated the 3rd September, 1985

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.

Endorsement No. 2095 Dated 12th September, 1985

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
Labour Court, Ambala.